

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PATRICK NELSON,)
Petitioner,)
v.) No. 4:18-CV-994 JAR
STAN PAYNE,)
Respondent.)

MEMORANDUM AND ORDER

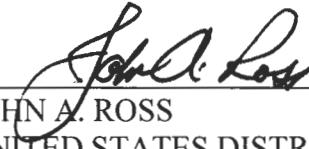
Before the Court is petitioner's motion for leave to proceed in forma pauperis on appeal. Upon review of the financial information contained in petitioner's prison account statement, as well as his motion to proceed in forma pauperis, the Court notes that the petitioner has received money order deposits on February 3, 2021 and April 13, 2021 totaling \$2,000 which are identified as stimulus funds. Those funds remain available to petitioner and petitioner appears to have enough funds to pay the appellate filing fee. Consequently, petitioner's motion to proceed in forma pauperis on appeal will be denied. Petitioner may renew his motion to proceed in forma pauperis before the Eighth Circuit Court of Appeals.

Accordingly,

IT IS HEREBY ORDERED petitioner's motion for leave to proceed in forma pauperis on appeal [ECF No. 35] is **DENIED without prejudice**. Petitioner may renew his motion to proceed in forma pauperis on appeal before the Eighth Circuit Court of Appeals.

IT IS FURTHER ORDERED that no certificate of appealability shall issue.

Dated this 13th day of May, 2021.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE